

# JUDGE OLIVER

1. From in or around June 11, 2019 to on or about June 14, 2019, the exact dates unknown to the Grand Jury, in the Northern District of Ohio, Eastern Division, and the Western District of Oklahoma, Defendant PATRICK ANTHONY FOSTER and others known and unknown to the grand jury, did knowingly, and intentionally combine, conspire, confederate, and agree together and with each other, to possess with the intent to distribute and to distribute over 500 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(viii) and 846.

COUNT 2

(Possession with Intent to Distribute Methamphetamine,  
21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(viii))

The Grand Jury further charges:

2. On or about June 14, 2019, in the Northern District of Ohio, Eastern Division, Defendant PATRICK ANTHONY FOSTER did knowingly and intentionally possess with the intent to distribute over 50 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(viii).

COUNT 3

(Possession with Intent to Distribute Marijuana, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

3. On or about June 14, 2019, in the Northern District of Ohio, Eastern Division, Defendant PATRICK ANTHONY FOSTER did knowingly and intentionally possess with the intent to distribute a mixture and substance containing a detectable amount of Marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 4

(Felon in Possession of Firearms and Ammunition, 18 U.S.C. §§ 922(g)(1))

The Grand Jury further charges:

4. On or about June 14, 2019, in the Northern District of Ohio, Eastern Division, Defendant PATRICK ANTHONY FOSTER possessed firearms and ammunition, to wit: a Bryco Arms 9mm pistol, model Jennings Nine, bearing serial number 1489802 and six (6) rounds of ammunition, and a Norinco rifle, model SKS, 7.62mm caliber, bearing serial number

23100055K, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, that being: Trafficking in Marijuana, on or about March 4, 2011, in Case Number 2010-07-1812, in Summit County Common Pleas Court, and did so knowingly, said firearms and ammunition having previously been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 5

(Possession of Firearms in Furtherance of a Drug Trafficking Offense,  
18 U.S.C. § 924(c)(1)(A)(i))

The Grand Jury further charges:

5. On or about June 14, 2019, in the Northern District of Ohio, Eastern Division, Defendant PATRICK ANTHONY FOSTER did knowingly possess firearms, specifically, a Bryco Arms 9mm pistol, model Jennings Nine, bearing serial number 1489802, and a Norinco rifle, model SKS, 7.62mm caliber, bearing serial number 23100055K, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Possession with the Intent to Distribute over 50 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(viii), as charged in Count Two herein, and Possession with Intent to Distribute a mixture and substance containing a detectable amount of Marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), as charged in Count Three herein, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT 6

(Possession with Intent to Distribute Marijuana, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

The Grand Jury further charges:

6. On or about June 14, 2019, in the Northern District of Ohio, Eastern Division, Defendant PATRICK ANTHONY FOSTER did knowingly and intentionally possess with the intent to distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

FORFEITURE

The Grand Jury further charges:

7. For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853 (drug offense) and Title 18, United States Code, Section 924(d)(1) / Title 28, United States Code, Section 2461(c) (firearms offenses), the allegations of Counts 1 through 6, inclusive, are incorporated herein by reference. As a result of the foregoing offenses, Defendant PATRICK ANTHONY FOSTER shall forfeit to the United States: any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of the drug offense; any and all of the defendant's property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the drug offense; and, any and all firearms and ammunition involved in or used in the commission of the firearms offenses; including, but not limited to, the following:

a.) \$65,100.00 in U.S. Currency seized from PATRICK ANTHONY FOSTER on June 14, 2019;

b.) Bryco Arms pistol, model Jennings Nine, 9mm caliber, bearing serial number 1489802 with six (6) rounds of ammunition, seized from PATRICK ANTHONY FOSTER on June 14, 2019; and,

c.) Norinco rifle, model SKS, 7.62mm caliber, bearing serial number 23100055K, seized from PATRICK ANTHONY FOSTER on June 14, 2019.

A TRUE BILL.